

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council  
February 2, 2003  
Tribal Court Room 7500 Odawa Circle  
Smudging 9:15 a.m.  
9:30 a.m.

Executive Session: Yes

Call to Order: Meeting was called to order at 9:40a.m.

Council Present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony, Secretary Beatrice A. Law, Treasurer Alice Yellowbank, Councilor Rita Shananaquet, Councilor Fred Harrington, Jr., Councilor Janet Shomin

Council Absent: None

Staff Present: See Attached list

Guests: See attached list

---

Motion made by Vice-Chairman George Anthony and supported by Councilor Fred Harrington, Jr., to adopt the agenda as corrected.

Vote: 6 Yes, 1 No, (Councilor Janet Shomin), 0 Absent, 0 Abstained

Motion carried

Motion made by Alice Yellowbank and supported by Beatrice A. Law to approve the minutes of January 19, 2003 as corrected.

Vote: 7Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Secretary Beatrice A. Law and supported by Vice-Chairman George Anthony to accept the Tribal Administrator's report.

Vote: 7Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Beatrice A. Law to approve the formation of the Geographical Information System Department to come from the Enterprise Fund Casino revenue operations in the amount of \$147,938.40.

Vote: 6 Yes, 1 No (Councilor Janet Shomin), 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony to schedule a work session to approve and or modify 2003 program budgets with Tribal Council and programs.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion made by Secretary Beatrice A. Law and supported by Treasurer Alice Yellowbank to approve payment of individual taxes in the amount of \$2,528.87 to Emmet County Treasurer and suggest the individual to attend financial management counseling services to prevent re-occurrence, fund to come from Casino revenue, general welfare line item.

Vote: 3Yes, 4 No (Councilor Rita Shananaquet Councilor Janet Shomin Vice-Chairman George Anthony, Chairman Gerald V. Chingwa), 0 Absent, 0 Abstained

Motion failed

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony to enter into the record the Tribal Chairman report dated February 2, 2003.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Secretary Beatrice A. Law and supported by Vice-Chairman George Anthony to direct the Tribal Attorney to respond to the summons by Councilor Fred Harrington, Jr., to the Tribal Chairman.

Vote: 6 Yes, 0 No, 0 Absent, 1 Abstained (Councilor Fred Harrington, Jr.)

Motion carried

Motion made by Secretary Beatrice A. Law to approve final designs as presented by Duncan Miller.

Motion withdrawn

Motion made by Councilor Rita Shananaquet to retain Ken Mimmack Consulting Firm.

Motion withdrawn

11:55 am public comment open: Fred Harrington, Jr., Bea Law, Ken Harrington

12:01 pm public comment closed

12:05 pm Lunch recess until 1:30 pm

1:40 pm meeting reconvened

Motion made by Treasurer Alice Yellowbank and supported by Secretary Beatrice A. Law that we adopt resolution #020203-01 Great Lakes Fishery Trust Agreement and authorize the Chairman or his designee to sign.

Roll call vote: Chairman Gerald V. Chingwa-Yes, Vice-Chairman George Anthony-Yes, Councilor Fred Harrington, Jr.-Yes, Secretary Beatrice A. Law-Yes, Councilor Janet Shomin-Yes, Councilor Rita Shananaquet-Yes, Treasurer Alice Yellowbank

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Janet Shomin to eliminate Tribal Council stipends and use the money saved to establish a Tribal Elders Emergency Fund.

Vote: 2 Yes, 5 No, (Councilor Rita Shananaquet Vice-Chairman George Anthony Chairman Gerald V. Chingwa Treasurer Alice Yellowbank, Secretary Beatrice A. Law), 0 Absent, 0 Abstained

Motion failed

Motion made by Secretary Beatrice A. Law and supported by Vice-Chairman George Anthony to approve the Stipend and Compensation Policy for Tribal Council, Tribal Commissions, Boards and Committees effective February 2, 2003.

Vote: 5 Yes, 2 No, (Councilor Janet Shomin, Councilor Fred Harrington, Jr.), 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Treasurer Alice Yellowbank to approve Policies and Procedures Policies.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairman George Anthony that we approve Commissions, Boards and Committees Policy amendment effective February 2, 2003.

Vote: 6 Yes, 1 No (Councilor Janet Shomin), 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Janet Shomin and supported by Secretary Beatrice A. Law to approve the annual performance report from the Housing Department as presented by the Housing Director Deleta Smith and authorize the Chairman's signature.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion carried

Motion made by Secretary Beatrice A. Law and supported by Vice-Chairman George Anthony that we make March the 8<sup>th</sup> 2003 a special work session with the Economic Development Commission and Department to work on the Corporation Statute.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Secretary Beatrice A. Law and supported by Treasurer Alice Yellowbank to establish March the 7<sup>th</sup> as a special work session for strategic planning with the programs.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Secretary Beatrice A. Law and supported by Vice-Chairman George Anthony to allow Councilor Alice Yellowbank to travel from February 23<sup>rd</sup> to March 1<sup>st</sup> to the Tribal Gaming Academy located in Palm Desert California, travel lodging, per diem and stipend to come out of Council travel line item.

Vote: 1Yes, 5 No (Chairman Gerald V. Chingwa, Vice-Chairman George Anthony, Councilor Rita Shananaquet, Councilor Janet Shomin, Councilor Fred Harrington, Jr.) 0 Absent, 1 Abstained (Treasurer Alice Yellowbank)

Motion carried

Motion made by Secretary Beatrice A. Law and supported by Treasurer Alice Yellowbank, that we schedule a special work session April 4<sup>th</sup> for the 2004 budgets.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Treasurer Alice Yellowbank to retain Ken Mimmack consulting firm Ingenus to assist LTBB Tribal Council in creating a master plan for the Tribe. To begin process as soon as can be scheduled. To authorize the Chairman to sign the retainer, not to exceed \$5,000.00.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Secretary Beatrice A. Law and supported by Treasurer Alice Yellowbank to approve final design as presented by Duncan Miller January 31, 2003.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet to proceed with the contract documents for Victories Casino Hotel with in the time frame and continue with the construction documents and proceed with the FF & E specifications and allow the Chairman, Mr. Olson and Duncan Miller to release a press statement.

Vote: 2 Yes, 5 No (Councilor Fred Harrington, Jr., Vice-Chairman George Anthony Chairman Gerald V. Chingwa Treasurer Alice Yellowbank Secretary Beatrice A. Law), 0 Absent, 0 Abstained

Motion failed

3:24 pm Motion made by Secretary Beatrice A. Law and supported by Vice-Chairman George Anthony to go into executive session.

Vote: 6 Yes, 1 No (Councilor Fred Harrington), 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Fred Harrington, Jr., to go back to open session.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairman George Anthony to permanently exclude from the Band's land, Mr. Kip Radtke.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to protect under the Whistle Blowers Act Patrick Dixon and Michael Canales at the Casino for reporting sewage in the Casino.

Vote: 3 Yes, 4 No, (Councilor Janet Shomin, Councilor Rita Shananaquet, Vice-Chairman George Anthony, Chairman Gerald V. Chingwa), 0 Absent, 0 Abstained

Motion failed

3:55 pm Motion made by Vice-Chairman George Anthony and supported by Councilor Rita Shananaquet to adjourn.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

These Minutes have been read and approved as written:

Approved:

---

Beatrice A. Law, Tribal Secretary

Date